

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/15/2011

LEVIN

Plaintiff(s)

CERTIFICATE OF MAILING

Case No.: 09CV5900 (RPP)

-v-

BANK OF NEW YORK, ET AL.,

Defendant(s)

I hereby certify under the penalties of perjury that on 15th day of DECEMBER, 2011, I served:
(SEE LETTER ATTACHED)

One copy of the _____

by _____, to the individual of the
foreign state, pursuant to the provisions of FRCP 4(f)2(c)(ii).

One copy of the _____

by _____, to the head of the ministry
of foreign affairs, pursuant to the provisions of Foreign Services Immunities Act, 28 U.S.C. §
1608(a)(3).

Two copies of the DOCUMENTS ITEMIZED IN THE ATTACHED LETTER

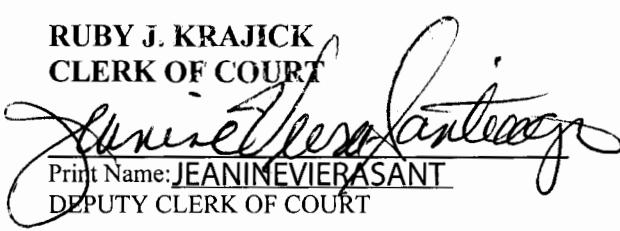
by FED EX 8647 0990 2474, to the Secretary of State,
Attn: Director of Consular Services, Office of Policy Review and Inter-Agency Liaison
(CA/OCS/PRI), U.S. Department of State, SA-29, 4th Floor, 2201 C Street NW, Washington, DC
20520, pursuant to the provisions of Foreign Services Immunities Act, 28 U.S.C. § 1608(a)(4).

One copy of the _____

by _____, to the head of the agency or
instrumentality of the foreign state, pursuant to the provisions of Foreign Services Immunities
Act, 28 U.S.C. § 1608(b)(3)(B).

Dated: New York, New York
DECEMBER 15, 2011

RUBY J. KRAJICK
CLERK OF COURT


Print Name: JEANINE VIERASANT
DEPUTY CLERK OF COURT

FedEx
Tracking
Number

8647 0990 2474

1 From Please print and press hard.

Date 12/14/11

Sender's FedEx
Account Number

SENDER'S FEDEX ACCOUNT NUMBER ONLY

Sender's Name Judy Goodwin

Phone (212) 806-5400

Company stroock & stroock & lavan LLP

Address 180 Maiden Lane

Dept/Floor/Suite/Room

City New York

State NY ZIP 10038

2 Your Internal Billing Reference

First 24 characters will appear on invoice.

OPTIONAL

3 To Secretary of state

Recipient's Name Attn: Director of Special Consular Services

Phone ()

C/O: Director, Office of Policy Review & Inter-Agency Liaison

Company U.S. Department of state (OAS/OSI)

Recipient's Address SA-29, 4th Floor

Dept/Floor/Suite/Room

Address 2201 C street NW

To request a package be held at a specific FedEx location, print FedEx address here.

City Washington, DC

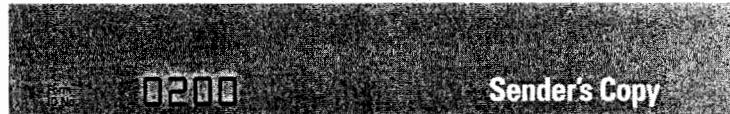
State

ZIP 20520

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Sender's Copy



4a Express Package Service

 FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.

Packages up to 150 lbs.

 FedEx First Overnight
Earliest next business morning delivery to select locations.* Saturday Delivery NOT available. FedEx 2Day
Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected. FedEx Express Saver
Third business day.* Saturday Delivery NOT available.FedEx Envelope rate not available. Minimum charge: One-pound rate.* To most locations.

4b Express Freight Service

 FedEx 1Day Freight*
Next business day.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. FedEx 2Day Freight
Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

Packages over 150 lbs.

 FedEx 3Day Freight
Third business day.* Saturday Delivery NOT available.* Call for Confirmation:* To most locations.

5 Packaging

 FedEx Envelope* FedEx Pak*
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak. FedEx Box FedEx Tube Other* Declared value limit \$500.

6 Special Handling

 SATURDAY Delivery
NOT Available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 3Day Freight. HOLD Weekly
at FedEx Location
NOT Available for FedEx First Overnight. HOLD Saturday
at FedEx Location
Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.Include FedEx address in Section 3. Does this shipment contain dangerous goods? Hold Weekly
at FedEx Location
NOT Available for FedEx First Overnight. Hold Saturday
at FedEx Location
Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.One box must be checked. No Yes Yes
As per attached
Shipper's Declaration
not required. Yes
Shipper's Declaration
not required. Dry Ice
Dry Ice, 9, UN 1845 x kg Cargo Aircraft Only

7 Payment Bill to:

 Sender
Acct. No. in
Section 1 will
be billed. Recipient
 Third Party Credit Card Cash/CheckFedEx Acct. No.
Credit Card No.Exp.
Date

Total Packages Total Weight Total Declared Value†

\$.00

†Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

8 Residential Delivery Signature Options

If you require a signature, check Direct or Indirect. No Signature
Required
Package may be left
without obtaining a
signature for delivery.
Fee applies. Direct Signature
Someone at recipient's
address may sign for
delivery. Fee applies. Indirect Signature
If no one is available at
recipient's address, someone
at a neighboring address may
sign for delivery. Fee applies.

520

Rev. Date 10/06 Part #158281 ©1994-2006 FedEx PRINTED IN U.S.A. SRV

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By Hand

December 15, 2011

Judy Peacock Goodwin
Direct Dial 212-806-5540
Direct Fax 212-806-6006
jgoodwin@stroock.com

Ms. Ruby J. Krajick, Clerk of Court
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: Request for Service Upon a Foreign State and Political Subdivisions
Pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §1608(a)(4)

Dear Ms. Krajick:

I write on behalf of a group of judgment creditors of the Islamic Republic of Iran who are parties to the action titled Levin v. Bank of New York, et al., Case No. 09 Civ. 5900 (RPP) (MHD), to respectfully request the Court's and the U.S. Department of State's assistance with effecting service of process upon a foreign state and two political subdivisions thereof pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §1608(a)(4). This service of process was directed by order of the Court (Patterson, J.) in the Levin action on September 16, 2011.

Pursuant to 28 U.S.C. §1608(a)(3), we attempted service of process on the Islamic Republic of Iran and two of its political subdivisions, the Iranian Ministry of Information and Security and the Iranian Islamic Revolutionary Guard Corps. (collectively, the "Service Recipients") on November 21, 2011. The Clerk of the Court dispatched our service documents to the Service Recipients on November 22, 2011, via DHL International mail, signed receipt requested.

These shipments were rejected by the Service Recipients on November 26, 2011, and the packages were returned to our offices on December 1, 2011. Copies of the DHL tracking statements for these packages are attached as Exhibit 1. Service having failed

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under 28 U.S.C. §1608(a)(3) due to the Service Recipients' rejection of the packages, any further attempts to effect service upon them pursuant to §1608(a)(3) would be futile. Accordingly, we now respectfully request assistance with effecting service pursuant to 28 U.S.C. §1608(a)(4).

Section 1608(a)(4) requires two copies of the service documents, along with payment of U.S. Department of State service fee, to be dispatched by the Clerk of Court to the Secretary of State in Washington, District of Columbia, to the attention of the Director of Special Consular Services. The Secretary shall transmit one copy of the service documents through diplomatic channels to the Service Recipients and send to the Clerk of the Court a certified copy of the diplomatic note indicating when the papers were transmitted.

Accordingly, and in accordance with this Court's published procedures for service pursuant to §1608(a)(4), following below is (1) a list of the names, titles and addresses of each party we are requesting to be served, (2) the specific documents we are requesting to be served upon such parties, and (3) details concerning the specific method of service being requested.

The Three Parties to Be Served

The Islamic Republic of Iran
Attn: Hon. Ali Akbar Salehi, Foreign Minister
Ministry of Foreign Affairs
Khomeini Avenue and United Nations Street
Tehran
Iran

The Iranian Ministry of Information and Security
Attn: Hon. Ali Akbar Salehi, Foreign Minister
Ministry of Foreign Affairs —
Khomeini Avenue and United Nations Street
Tehran
Iran

The Iranian Islamic Revolutionary Guard Corps.
Attn: Hon. Ali Akbar Salehi, Foreign Minister
Ministry of Foreign Affairs
Khomeini Avenue and United Nations Street
Tehran
Iran

Documents to Be Served Upon Each Party

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Enclosed for forwarding to the Secretary of State for service upon each of the Service Recipients are two sets of copies of the following documents (pre-assembled into separate bundles for each of the three parties to be served):

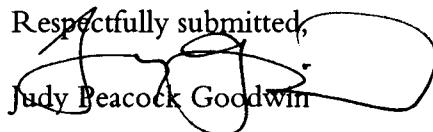
- (1) Notice of Suit drafted pursuant to 22 C.F.R. §93.2, Summons and two Third-Party Complaints of Citibank, N.A., both dated September 21, 2011, along with Farsi translations of the same documents with accompanying translators' affidavits;
- (2) Notice of Suit drafted pursuant to 22 C.F.R. §93.2, Summons and Additional Amended and Supplemental Third-Party Complaint of The Bank of New York Mellon, dated October 6, 2011, along with Farsi translations of the same documents with accompanying translators' affidavits; and
- (3) Notice of Suit drafted pursuant to 22 C.F.R. §93.2, Summons and Additional Amended and Supplemental Third-Party Complaint of JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A., dated October 6, 2011, along with Farsi translations of the same documents with accompanying translators' affidavits; ✓

An additional copy-set of each of the above service documents has also been included for the Court's file.

Method of Service Requested:

We respectfully request that service to the U.S. State Department be made via FedEx. To that end, we have enclosed one box sufficient to hold two sets of service documents and three cashier's checks, each made out to "U.S. Embassy Bern". We also enclose a FedEx waybill addressed to the Secretary of State and bearing our firm's return address and FedEx account number.

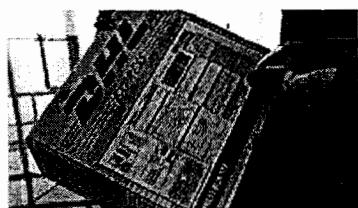
Thank you in advance for your assistance, which is greatly appreciated. Should you require any additional information or materials to effect the requested service, please do not hesitate to contact me.

Respectfully submitted,

Judy Peacock Goodwin

Confidential Enclosures

cc: Director of Special Consular Services, U.S. Department of State (by FedEx)

EXHIBIT 1



> DHL Global | > Express | Tracking

Track DHL Express Shipments

DHL's online tracking is the fastest way to find out where your shipment is. No need to call Customer Service when we can offer you real-time details of your shipment's progress as it speeds through the DHL Network on the way to its destination.

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- Tracking FAQs
- Track by Shipper's Reference
- Tracking Tools
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- Import Services
- Domestic Services
- Optional Services
- Industry Solutions
- Small Business Solutions
- Resource Center

Result Summary

Waybill: 7414102205



Returned to shipper

Thursday, December 01, 2011 at 11:59

Origin Service Area: > NEW YORK, NY - NEW YORK - USA

Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

Thursday, December 01, 2011

28 Returned to shipper

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

11:59

Wednesday, November 30, 2011

26 Shipment on hold

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

09:05

Tuesday, November 29, 2011

25 Shipment on hold

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

09:18

Monday, November 28, 2011

24 Shipment on hold

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

09:30

Sunday, November 27, 2011

23 Shipment on hold

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

09:54

Saturday, November 26, 2011

22 Recipient refused delivery

Location

Time

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

13:22

21 With delivery courier

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

08:49

20 Arrived at Delivery Facility in TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

08:06

19 Departed Facility in TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

07:59

18 Arrived at Sort Facility TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

07:37

Friday, November 25, 2011

17 Departed Facility in AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

Location

Time

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

23:06

16 Processed at AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

19:27

15 Arrived at Sort Facility AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES

14:44

14 Departed Facility in BAHRAIN - BAHRAIN

BAHRAIN - BAHRAIN

10:07

13 Processed at BAHRAIN - BAHRAIN

BAHRAIN - BAHRAIN

05:19

12 Arrived at Sort Facility BAHRAIN - BAHRAIN

BAHRAIN - BAHRAIN

02:21

Thursday, November 24, 2011

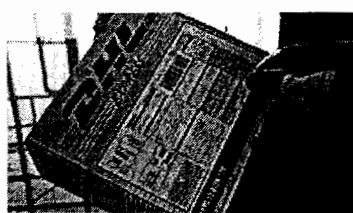
Location

Time



Wednesday, November 23, 2011		Location	Time
11	Departed Facility in CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	05:16
10	Processed at CINCINNATI HUB - USA	<small>SiteMap Accessibility Legal Using DHL Websites 4:45 © 2011 DHL International GmbH. All rights reserved.</small>	
9	Clearance processing complete at CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	00:05
8	Shipment on hold	CINCINNATI HUB, OH - USA	00:02
7	Clearance delay	CINCINNATI HUB, OH - USA	05:41
6	Shipment on hold	CINCINNATI HUB, OH - USA	05:26
5	Arrived at Sort Facility CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	01:37
Tuesday, November 22, 2011		Location	Time
4	Departed Facility in NEW YORK - USA	NEW YORK, NY - USA	22:12
3	Processed at NEW YORK - USA	NEW YORK, NY - USA	22:05
Thursday, November 10, 2011		Location	Time
2	Shipment on hold	CINCINNATI HUB, OH - USA	22:49
Tuesday, November 22, 2011		Location	Time
1	Shipment picked up	NEW YORK, NY - USA	15:53
Waybill: 7414102205		Thursday, December 01, 2011 at 11:59 Origin Service Area: > NEW YORK, NY - NEW YORK - USA Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)	
 Returned to shipper			

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Result Summary

Waybill: 7414090633

[Returned to shipper](#)
Thursday, December 01, 2011 at 12:01
Origin Service Area: > NEW YORK, NY - NEW YORK - USA
Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)
Thursday, December 01, 2011

27 [Returned to shipper](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 12:01

26 [Shipment on hold](#)
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:05

Wednesday, November 30, 2011

25 [Shipment on hold](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:17

Tuesday, November 29, 2011

24 [Shipment on hold](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:18

Monday, November 28, 2011

23 [Shipment on hold](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:11

Sunday, November 27, 2011

22 [Recipient refused delivery](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 15:04

21 [With delivery courier](#)
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:13

Saturday, November 26, 2011

20 [Arrived at Delivery Facility in TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)
Location
Time
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 15:08

19 [Departed Facility in TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 15:04

18 [Clearance processing complete at TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 15:01

17 [Arrived at Sort Facility TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)
TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 14:56

Friday, November 25, 2011

16 [Departed Facility in AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 23:06

15 [Processed at AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 18:19

14 [Processed at AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 06:12

Thursday, November 24, 2011

13 [Arrived at Sort Facility AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 22:18

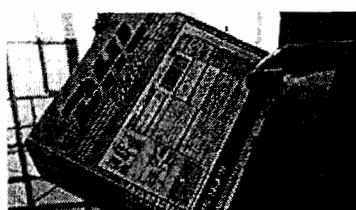
12 [Departed Facility in BAHRAIN - BAHRAIN](#)
BAHRAIN - BAHRAIN 15:18

11 [Processed at BAHRAIN - BAHRAIN](#)
BAHRAIN - BAHRAIN 13:38



Wednesday, November 23, 2011		
	Location	Time
10	SHIPMENT ON HOLD	05:35
9	ARRIVED AT SORT FACILITY BAHRAIN - BAHRAIN	02:10
8	DEPARTED FACILITY IN CINCINNATI HUB - USA	2011 © DHL International GmbH. All rights reserved. 05:18
7	PROCESSED AT CINCINNATI HUB - USA	04:44
6	SHIPMENT ON HOLD	04:09
5	ARRIVED AT SORT FACILITY CINCINNATI HUB - USA	01:37
Tuesday, November 22, 2011		
4	DEPARTED FACILITY IN NEW YORK - USA	22:12
3	PROCESSED AT NEW YORK - USA	22:05
Thursday, November 10, 2011		
2	SHIPMENT ON HOLD	22:49
Tuesday, November 22, 2011		
1	SHIPMENT PICKED UP	15:53
	Waybill: 7414090633	Thursday, December 01, 2011 at 12:01
	 Returned to shipper	Origin Service Area: > NEW YORK, NY - NEW YORK - USA
		Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)

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Result Summary

Waybill: 7414103900

[Returned to shipper](#)
Thursday, December 01, 2011 at 12:00
Origin Service Area: > NEW YORK, NY - NEW YORK - USA
Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)
Thursday, December 01, 2011

28 [Returned to shipper](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 12:00

Wednesday, November 30, 2011

27 [Shipment on hold](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:05

Tuesday, November 29, 2011

25 [Shipment on hold](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:18

Monday, November 28, 2011

24 [Shipment on hold](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:30

Sunday, November 27, 2011

23 [Shipment on hold](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 09:55

Saturday, November 26, 2011

22 [Recipient refused delivery](#)
Location

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 13:22

21 [With delivery courier](#)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 08:49

20 [Arrived at Delivery Facility in TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 08:06

19 [Departed Facility in TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 07:59

18 [Arrived at Sort Facility TEHRAN - IRAN \(ISLAMIC REPUBLIC OF\)](#)

TEHRAN - IRAN (ISLAMIC REPUBLIC OF) 07:39

Friday, November 25, 2011

17 [Departed Facility in AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
Location

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 23:06

16 [Processed at AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 16:58

Thursday, November 24, 2011

15 [Arrived at Sort Facility AE - HUB & GATEWAYS - UNITED ARAB EMIRATES](#)
Location

AE - HUB & GATEWAYS - UNITED ARAB EMIRATES 22:18

14 [Departed Facility in BAHRAIN - BAHRAIN](#)

BAHRAIN - BAHRAIN 15:18

13 [Processed at BAHRAIN - BAHRAIN](#)

BAHRAIN - BAHRAIN 13:38

12 [Shipment on hold](#)

BAHRAIN - BAHRAIN 05:35



Wednesday, November 23, 2011		Location	Time
11	Arrived at Sort Facility BAHRAIN - BAHRAIN	BAHRAIN - BAHRAIN	02:10
10	Departed Facility in CINCINNATI HUB - USA	SiteMap Accessibility Legal Using DHL Websites 15:18 2011 © DHL International GmbH. All rights reserved.	15:18
9	Processed at CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	04:44
8	Clearance processing complete at CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	04:10
7	Shipment on hold	CINCINNATI HUB, OH - USA	04:08
6	Clearance delay	CINCINNATI HUB, OH - USA	02:28
5	Arrived at Sort Facility CINCINNATI HUB - USA	CINCINNATI HUB, OH - USA	01:38
Tuesday, November 22, 2011		Location	Time
4	Departed Facility in NEW YORK - USA	NEW YORK, NY - USA	22:12
3	Processed at NEW YORK - USA	NEW YORK, NY - USA	22:05
Thursday, November 10, 2011		Location	Time
2	Shipment on hold	CINCINNATI HUB, OH - USA	22:49
Tuesday, November 22, 2011		Location	Time
1	Shipment picked up	NEW YORK, NY - USA	15:53
Waybill: 7414103900		Thursday, December 01, 2011 at 12:00 Origin Service Area: > NEW YORK, NY - NEW YORK - USA Destination Service Area: > TEHRAN - TEHRAN - IRAN (ISLAMIC REPUBLIC OF)	
 Returned to shipper			

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